

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FIFTH THIRD BANK, NATIONAL ASSOCIATION,)	
)	
Plaintiff,)	
)	
vs.)	No. 1:24-CV-09027
)	
ERIC PRICEMAN and KATHLEEN PRICEMAN)	Hon. Judge J. Tharp, Jr.
)	Hon Magistrate Judge Heather
Defendants.)	K. McShain

UNOPPOSED MOTION TO SUBSTITUTE PARTY-PLAINTIFF

Intervenors, Kevin Kidd and Robert Barnett, in their capacities as co-trustees of the RH 401(k) Plan, by their attorneys, William A. Castle, Jr. and Sheryl A. Fyock of the law firm of Latimer LeVay Fyock LLC, hereby petition this Court for leave to substitute as party plaintiff herein, and in support its motion, states as follows:

1. Plaintiff, Fifth Third Bank, National Association (“Fifth Third”), filed its Complaint for Foreclosure of Judgment Lien (“Complaint”) on September 26, 2024 against to the property commonly known as 1143 Woodbine Avenue, Oak Park, Illinois 60302 (the “Property”).

2. Subsequent to the filing of the Complaint, Fifth Third sold and assigned judgment that is the subject of this lawsuit to Kevin Kidd, as trustee of the RH 401(k) Plan (“RH”). A true and correct copy of said assignment dated September 12, 2025 is attached hereto as **Exhibit 1**.

3. As Fifth Third no longer has an interest in the Property, and as RH is now the owner and assignee of the judgment that is the subject of this lawsuit, and therefore the judgment lienholder, RH now seeks to substitute as party-plaintiff in this matter and for leave to file the appearances of William A. Castle, Jr. and Sheryl A. Fyock as its counsel of record.

4. Counsel of record has communicated to RH that they do not oppose the instant motion.

5. If the Court grants this motions and advises so, Intervenorors will revise the case caption in filings going forward to reflect the new party plaintiff.

WHEREFORE, Intervenorors, Kevin Kidd and Robert Barnett, in their capacities as co-trustees of the RH 401(k) Plan, pray that they be granted leave to substitute as party-plaintiff herein, for leave to file the appearances of William A. Castle, Jr. and Sheryl A. Fyock of Latimer LeVay Fyock LLC as its counsel of record, and for such other and further relief as this Court deems proper and just.

Respectfully submitted,

**KEVIN KIDD AND ROBERT BARNETT, as
co-trustees of the RH 401(k) PLAN**

By: /s/ William A. Castle, Jr.
One of their Attorneys

William A. Castle (ARDC No. 6288893)
Sheryl A. Fyock (ARDC No. 06204378)
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CERTIFICATE OF SERVICE

The undersigned, a non-attorney, under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, hereby certifies that on September 29, 2025 the foregoing *Unopposed Motion To Substitute Party-Plaintiff* was served on the individuals on the Service List below at the addresses indicated via the CM/ECF for the U.S. District Court in the Northern District of Illinois, and that the statements set forth herein are true and correct.

By: /s/ Carmen Linville

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